

**FITZPATRICK, CELLA, HARPER & SCINTO**

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**FACSIMILE COVER SHEET**

<b>TO:</b>	Mail Stop Missing Parts U. S. Patent & Trademark Office		
<b>FROM:</b>	Damond E. Vadnais, Reg. No. 52,310		
<b>RE:</b>	U.S. Application No. 10/810,550 Atty. Docket No.: 00862.023526.		
<b>FAX NO.:</b>	(571) 273-8300		
<b>DATE:</b>	March 20, 2007	<b>NO. OF PAGES:</b>	5 <small>(including cover page)</small>
<b>TIME:</b>	2:35 P.M.	<b>SENT BY:</b>	LS

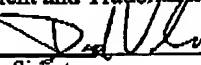
**MESSAGE****Attachments:**

- 1) Response and Request for Withdrawal of Notice to Comply with Requirements
- 2) Copy of Notice to Comply with Requirements

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

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MAR 20 2007

00862.023526.

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: )  
NOBUKO YAMAMOTO, et al. )  
: )  
Application No.: 10/810,550 )  
: )  
Filed: March 29, 2004 )  
: )  
For: INFECTIOUS ETIOLOGIC )  
AGENT DETECTION PROBE : )  
AND PROBE SET, CARRIER, )  
AND GENETIC SCREENING : )  
METHOD ) March 20, 2007

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE AND REQUEST FOR WITHDRAWAL OF NOTICE  
TO COMPLY WITH REQUIREMENTS

Sir:

This is in response to the February 20, 2007 Notice to Comply with  
Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid  
Sequence Disclosures. A copy of the Notice is attached.

## Certificate of Transmission

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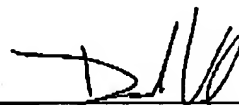
Initially, Applicants note that while the Notice refers to an attachment, no such attachment was received.

The Notice requires a substitute computer readable form (CRF) copy and a substitute paper copy of the Sequence Listing. However, as discussed in the November 2, 2006 Response to Notice to Comply with Requirements, the Sequence Listing submitted with the application on March 29, 2004 is believed to be in full compliance. In particular, the Sequence Listing contains all the sequences disclosed in the application. In this regard, the sequences from Tables 12 to 41 (pages 32 to 37, 40 to 45, and 49 to 53) are listed as SEQ ID Nos. 1 to 106.

Accordingly, withdrawal of the Notice to Comply with Requirements is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



Diamond E. Vadnais  
Attorney for Applicants  
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,550	03/29/2004	Nobuko Yamamoto	00862.023526

5514  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

CONFIRMATION NO. 1679  
FORMALITIES  
LETTER

Date Mailed: 02/20/2007

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

See the attachment.

**Applicant Must Provide as part of the response:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>  
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

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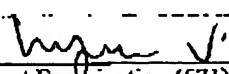
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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE